

## In the United States Patent and Trademark Office

1112 Rec'd PCT/PTO 28 JAN 2005

Application No.:

Filed:

Title: METHOD OF MAKING A READY-TO-EAT CAKE OR CULINARY PREPARATION WITH EXTENDED SHELF LIFE AT ROOM TEMPERATURE

Applicant(s):

Rene Le Flecher

Examiner:

Art Unit:

Mailed 1-23-05  
Palo Alto, CA

## Information Disclosure Statement

Commissioner for Patents  
Alexandria, VA 22313

Dear Sir or Madam:

Attached is a completed Form PTO-1449 and copies of the pertinent parts of the references cited thereon. It is requested that the document(s) on the enclosed form be made of record.

## Part I (Authority)

This statement is filed pursuant to:

(X) 37 C.F.R. § 1.97(b).

This information disclosure statement is filed either (1) within three months of the filing date of the national application; (2) within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application; (3) before the mailing date of a first office action on the merits, or (4) before the mailing of a first Office action after the filing of an RCE under § 1.114, whichever event occurs last.

Accordingly, this information disclosure statement requires no fee and no certification.

( ) 37 C.F.R. § 1.97(c).

This information disclosure statement is filed after the period specified in 37 C.F.R. § 1.97(b), but before the mailing date of either (1) a final action under 37 C.F.R. § 1.113 or (2) a notice of allowance under 37 C.F.R. § 1.311.

Accordingly, this information disclosure statement requires either the fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c) (\$180), or a certification according to 37 C.F.R. § 1.97(e).

( ) 37 C.F.R. § 1.97(d).

This information disclosure statement is filed after the period specified in 37 C.F.R. § 1.97(c).

Accordingly, this information disclosure statement requires the fee specified in 37 C.F.R. § 1.17(p) (\$180) and a certification according to 37 C.F.R. § 1.97(e).

## Conditional Petition

It is respectfully requested that this information disclosure statement be considered, good cause being presented in Part III herein (certification). Please treat this paper as the required petition.

If this statement crosses in the mail with an office action, or is otherwise not in the indicated category of 37 C.F.R. § 1.97, it is respectfully requested that this statement be treated in the next appropriate category and made of record.

To the extent required, please treat this paper as a conditional petition for acceptance of the information disclosure statement.

A check is enclosed as indicated:

No fee is due.

The fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c) or 37 C.F.R. § 1.97(d) is enclosed (\$180).

#### Part III (Certification)

Pursuant to 37 C.F.R. § 1.97(e), I certify:

No certification is necessary.

Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement.

No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c), more than three months prior to the filing of the statement.

#### Part IV (Additional Statement)

An additional statement regarding these items of information ( ) is, (X) is not, enclosed.

Copies of the cited documents (X) are enclosed, ( ) are of record in parent application Serial No. \_\_\_\_\_ and will be provided if the Examiner deems it convenient.

Respectfully submitted,

Dated: Jan. 27, 2005



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FORM PTO-1449U.S. DEPARTMENT OF COMMERCE						ATTY. DOCKET NO. BLO-104/PCT/US	SERIAL NO. 107522867
LIST OF DOCUMENTS CITED BY APPLICANT (Use several sheets if necessary)						APPLICANT Rene Le Flecher	
						FILING DATE	GROUP
<b>U.S. PATENT DOCUMENTS</b>							
EXAMINER INITIAL		DOCUMENT NUMBER		DATE	NAME		RELEVANT INFORMATION
/LT/	A	3	9 7 0 7 6 3	7/20/1976	Moran et al.		426/324
/LT/	B	5	6 2 0 7 3 6	4/15/1997	Reinl et al.		426/641
	C						
<b>FOREIGN PATENT DOCUMENTS</b>							
		2-letter code	DOCUMENT NUMBER	DATE	COUNTRY		TRANSLATION
/LT/	I		WO 02/35936	5/10/2002	PCT		YES <input type="checkbox"/> NO <input type="checkbox"/>
/LT/	J		EP 0406213	1/2/1991	EP		No
/LT/	K		DE 2501410A	7/22/1976	DE		No
/LT/	L		FR 2669811A	6/5/1992	FR		No
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
/LT/	K		Database WPI, XP 002238359				
	L						
	M						
	N						
EXAMINER /Lien Tran / (09/10/2008)				DATE CONSIDERED 09/10/2008			

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.